उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक Cr. M. P. No. 17/07 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

SB: HON'BLE SHRI DHIRENDRA MISHRA, J.

APPLICANTS

1. Prahalad, S/o Pandu Sahu, aged about 75 years
2. Tulsi Ram, S/O Prahalad Sahu, Aged About 35 Years,

Both R/O Village Nandal, P.S. Navagarh, Tahsil Navagarh, Distt. Durg (CG)

VERSUS

NON-APPLICANTS

1. Tikuram, S/o Rameshwar Nishad, aged about 38 years,
2. Melaram, S/o Rameshar Nishad, aged about 40 years,

Both R/o. village Ghatholi, P.S. Navagarh, Tahsil Navagarh, Distt. Durg (CG)

3. State of Chhattisgarh, through Station House Officer, Police Station Navagarh, Distt. Durg (CG)

28-11-2007

Shri F.S. Khare, Advocate, for petitioners.

Shri Neeraj Mehta, Panel Lawyer, for the State.

By this petition under Section 482 of Cr.P.C. the petitioners have impugned the order dated 15-11-2006 passed in Cr. Revision No. 160/2006 whereby learned Additional Sessions Judge, Bemetara has dismissed the criminal revision of the petitioners and confirmed the order of the Sub Divisional Magistrate, Bemetara of Annexure P-1 whereby after recording evidence of the respective parties in the proceedings under Section 145 of Cr.P.C., learned Sub Divisional Magistrate has recorded a finding that the respondents are in possession of the disputed land. Both the Courts below have recorded

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	a concurrent finding of fact regarding possession over the disputed land and have held that the respondents were in possession prior to two months of the date of dispute between the parties and accordingly, the possession has been directed to be handed over to the respondents and there is no illegality or infirmity in the impugned order warranting interference in exercise of jurisdiction under Section 482 of Cr.P.C. The petition being devoid of substance deserves to be dismissed and it is dismissed. Sd/- Dhirendra Mishra Judge	